

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:09-CR-211
	:	
v.	:	(Chief Judge Conner)
	:	
ROBERT L. NELSON	:	

ORDER

AND NOW, this 11th day of May, 2016, upon consideration of the motion (Doc. 322) to recuse and disqualify judge and motion (Doc. 325) for appointment of counsel filed *pro se* by defendant Robert L. Nelson (“Nelson”), in connection with Nelson’s previously denied motion (Doc. 320) seeking *vacatur* of his conviction and sentence and immediate release from custody of the Bureau of Prisons, and further upon consideration of the court’s order (Doc. 321) dated November 4, 2015, wherein the court construed Nelson’s filing (Doc. 320) as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 and denied same as an unauthorized second or successive motion under § 2255 which cannot proceed without prior authorization from the Third Circuit Court of Appeals, (see Doc. 321), and the court noting that Nelson appealed the court’s denial of his second or successive motion (Doc. 320) to the United States Court of Appeals for the Third Circuit, which denied his request for a certificate of appealability and appointment of counsel on April 11, 2016, (see Doc. 326), and the court finding that Nelson’s requests for recusal and

disqualification of the undersigned (Doc. 322) and for appointment of counsel (Doc. 325) are thus moot, it is hereby ORDERED that Nelson's motion (Doc. 322) to recuse and disqualify judge and motion (Doc. 325) for appointment of counsel are DENIED.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania